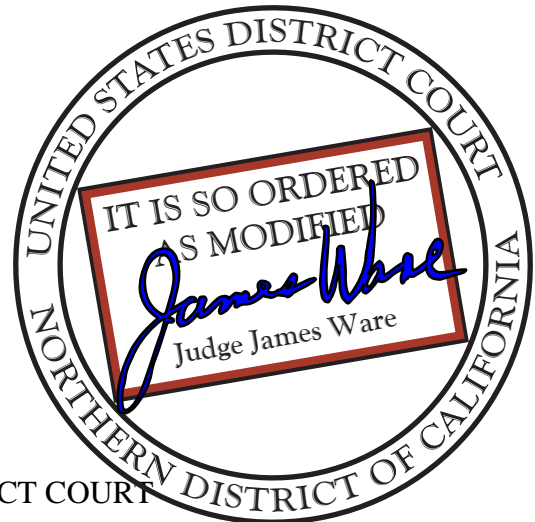


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7



8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
11

12 DONALD MASTERS,  
13 Plaintiff,  
14 v.  
15 BOSTON SCIENTIFIC CORPORATION,  
BOSTON SCIENTIFIC CORPORATION 2000  
16 LONG TERM INCENTIVE PLAN and DOES 1-  
50,  
17 Defendant.  
18

No. 5:07-cv-03792-JW

**ORDER REFERRING PARTIES TO  
JUDGE SEEBORG FOR EARLY  
SETTLEMENT CONFERENCE**

19 WHEREAS, on February 20, 2008 all counsel participated in the Court's  
20 Alternative Dispute Resolution Telephone Conference with Howard Herman regarding the  
21 parties' request to have a United States Magistrate Judge preside over an early Settlement  
22 Conference;

23 WHEREAS, Mr. Herman said he would recommend that arrangement, and that  
24 the parties should raise it with Judge Ware at the Case Management Conference, which was  
25 scheduled for February 26, 2008;

26 WHEREAS, on February 21, 2008 Judge Ware issued a Scheduling Order and  
27 vacated the case management conference; and  
28

1 WHEREAS, the parties were unable to discuss their request to have a United  
2 States Magistrate Judge preside over an early Settlement Conference with Judge Ware and make  
3 suitable arrangements.

4 THEREFORE IT IS HEREBY STIPULATED AND AGREED by and between  
5 all of the attorneys of record of the parties in this action that the parties, pursuant to the approval  
6 of the Court, will have Magistrate Judge Richard Seeborg preside over their early settlement  
7 conference at the convenience of the Court's calendar.

8  
9 DATED: March 11, 2008

Shopoff & Cavallo LLP

10  
11 By: \_\_\_\_\_ /s/  
12 Gregory S. Cavallo  
13 Attorneys for Plaintiff  
DONALD MASTERS

14 DATED: March 11, 2008

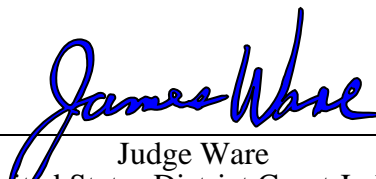
Bingham McCutchen LLP

15  
16 By: \_\_\_\_\_ /s/  
17 Thomas Kuhnle  
18 Attorneys for Defendant  
BOSTON SCIENTIFIC CORPORATION

19 \*\*\* ORDER \*\*\*

20 The parties shall contact Judge Seeborg Chambers within ten (10) days from the date of this  
21 Order to schedule the early settlement conference.

22  
23 Dated: March 17, 2008

24   
\_\_\_\_\_  
25 Judge Ware  
26 United States District Court Judge  
27  
28